

FAQs and Answers

What are the supports and services offered in the Family Supports and Community Supports Waivers?

Both waivers offer Assistive Technology Services, Behavioral Supports, Environment Assessment, Environment Modification, Family Mentoring and Peer Supports, Family Caregiving Training and Empowerment Services, Individual and Family Directed Goods and Services, Participant Education, Training, and Advocacy Supports, Personal Supports, Respite Care Services, Transportation, and Vehicle Modification Services.

The Community Supports Waiver also offers Meaning Full Day and Employment Supports, and Support Broker Services. Meaning Full Day and Employment Supports include Community Development Services, Day Habilitation Services, Employment Discovery and Customization Services, Medical Day Care Services, Supported Employment, and Transitional Employment Services.

If I am a licensed provider, will I have to file an application to provide supports and/or services in the Community Supports and/or Family Supports Waivers? Yes, there are new services, service categories, and eligibility requirements for services and supports in the Community and Family Supports Waivers. Additionally, there is a new federal compliance rule.

If I have submitted a behavior supports provider application during Fiscal Year 2018, will I need to submit another one using the revised behavior supports application? No. DDA will approve providers if they used the previous form and submitted information which demonstrates that they meet the eligibility requirements to provide behavior supports and services.

Can I submit additional information once I have submitted my provider application?

Once you have submitted your application, DDA will review and evaluate the information submitted and approve or disapprove your application. If your application is disapproved, you will be given an opportunity to submit additional information. If your application is disapproved again, you can reapply after 365 days.

Can I submit an application with results from background checks pending? No, DDA will not review an application if the required criminal background and/or child protective clearance(s) checks are not included.

Do I have to submit a separate application for each waiver to provide supports and/or services under that waiver? No, once a provider has been approved to render a certain support and/or service, the provider can do so in each waiver in which the supports and services are available.

DDA will now operate three Home and Community-Based Waivers for individuals with developmental disabilities. How will the DDA and the individual determine which waiver he or she will enroll? The Coordinator of Community Services will gather information for each waiver applicant. Each waiver applicant will have his or her needs assessed. The waiver which meets the applicant's health and safety needs will be identified and selected by the participant and DDA.

Can I provide supports and services to a participant in the Family Supports Waiver during school hours? No, participants in the Family Supports Waiver receive supports and services after school hours and on weekends.

Is there a limited number of participants for the Community Supports and Family Supports Waivers and are the funding caps different? Yes. Each waiver will support 400 participants who were on DDA's Waiting Lists and their families. The Community Supports Waiver has a funding cap of \$25,000 per year and the Family Supports Waiver's funding cap is \$12,000.

Do all supports and services provided in the Community and/or Family Supports Waivers have to be provided in settings which meet the federal Community Settings rule? Yes. Effective January 2018, providers enrolled in the Community and/or Family Supports Waiver will receive payments for services/supports under § 1915(c) and 1915(i) of the Social Security Act. Providers must comply with provisions § D-F of the regulation and 42 CFR 441.3011(4). DDA will conduct site-specific assessments, ongoing monitoring and implement other quality assurance methods to validate that the federal requirements are met.

What are the requirements for settings in the Community Settings rule? Settings in which services and supports are provided must:

- 1) Be integrated in and support full access to the greater community for participants receiving services and supports to the same degree of access of persons who do not receive Home and Community-Based Waiver services;
- 2) Be selected by the participant from among setting options, including non-disability service settings;
- 3) Be identified and documented in the person-centered service plan and be based on the participant's needs and preferences;
- 4) Ensure the participant's rights of:
 - (a) Privacy,
 - (b) Dignity and respect, and
 - (c) Freedom from coercion and restraint;
- (5) Optimize, but not regiment, the participant's initiative, autonomy, and independence in making life choices, including but not limited to:
 - (a) Daily activities,
 - (b) Physical environment, and
 - (c) With whom to interact; and
- (6) Facilitate participant choice regarding services and supports, and who provides them.

In addition, provider-owned or controlled settings shall meet the following conditions:

- (1) The unit or dwelling is a specific physical place that can be owned, rented, or occupied under a legally enforceable agreement by the participant receiving services and the

participant has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord tenant law of the State, county, city, or other designated entity;

- (2) Each participant has privacy in their sleeping or living unit, as evidenced by the following:
 - a) Units have entrance doors lockable by the participant with only appropriate staff having keys to doors;
 - (b) Participants sharing units have a choice of roommates; and
 - (c) Participants have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement;
- (3) Participants have the freedom and support to control their own schedules and activities;
- (4) Participants have access to food at any time;
- (5) Participants are able to have visitors of their choosing at any time; and
- (6) The setting is physically accessible to the participant.

Any modification of these conditions shall be supported by a specific assessed need and justified in the person-centered services plan in accordance with 42 CFR 441.301(c)(2)(xiii).